

ORIGINAL

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9 CITY OF BEAUMONT

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
12

13 SCOT DAVIS, et al.,

14 Plaintiffs,

15 vs.

16 CITY OF BEAUMONT,
17 et al.,

18 Defendants.

CASE NO. CV 12-04990 ABC (SHx)

[Proposed] ORDER GRANTING
DEFENDANT CITY'S PARTIAL
MOTION FOR SUMMARY
JUDGMENT

Trial Date: None Set

19 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

20 Defendant CITY OF BEAUMONT filed its Partial Motion for Summary
21 Judgment on June 1, 2013. Having read and considered the moving, opposing and
22 reply papers, and the arguments of counsel, if any, the Court finds that there are no
23 triable issues of material fact as to the claims of Plaintiffs, and each of them, for
24 violation of their rights under the Meyer-Milias-Brown Act, their 4th Claim for
25 Relief. Upon that ground, the Motion is granted, and that claim is dismissed.

26 In that plaintiffs Harris and Ford are not parties to the remaining claim
27 alleging a violation of Plaintiff Davis' rights under the FMLA, defendant CITY is
28 entitled to judgment as against Plaintiffs Harris and Ford.

Defendant CITY OF BEAUMONT, as prevailing party as to the claims of
Harris and Ford, is entitled to its costs of suit related to such plaintiffs.

1 DATED: _____, 2013
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4 By: _____
5 Hon. Audrey B. Collins,
6 UNITED STATES DISTRICT JUDGE
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FEDERAL COURT PROOF OF SERVICE

Davis v City of Beaumont - File No. 25401.12

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

At the time of service, I was over 18 years of age and not a party to the action. My business address is 650 East Hospitality Lane, Suite 600, San Bernardino, CA 92408. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On June 3, 2013, I served the following document(s): **[Proposed] ORDER GRANTING DEFENDANT CITY'S PARTIAL MOTION FOR SUMMARY JUDGMENT**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

Michael A. McGill
LACKIE DAMMIER & MCGILL APC
367 North Second Street
Upland, California 91786
909-985-4003
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Attorneys for Plaintiffs
SCOT DAVIS, JEREMY HARRIS
and BRIAN FORD

The documents were served by the following means:

☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and I deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.

☒ (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

I declare under penalty of perjury under the laws of the State of CALIFORNIA that the foregoing is true and correct.

Executed on June 3, 2013, at San Bernardino, California.


Sharon D. Moore